## THE HON'BLE SRI JUSTICE N.V. RAMANA

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**Writ Petition No.6680 of 2006**

**Dated: 04.04.2006**

Between:

E. Gattaiah, S/o Venkataiah, Junior Plant Attendant (U/S), Peddapalli Mini Hydel Station, R/o H.No.1-3-47/A/F2, Shanthinagar, Peddapalli, Karimnagar District.

**.... PETITIONER**

AND

The A.P. Power Generation Corporation Limited,Vidyutsoudha,

Hyderabad, rep. by its Managing Director and others.

**.....RESPONDENTS**

**THE HON'BLE SRI JUSTICE N.V. RAMANA**

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**Writ Petition No.6680 of 2006**

**Order**:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The petitioner, who is an employee of the respondent-Organisation, was kept under suspension initially on 20.01.2004 on the ground that he is involved in a criminal case. Later on, the said suspension orders were extended by the respondents by issuing successive orders. According to the petitioner, he submitted representations dated 20.07.2005 and 18.03.2006 to the respondents seeking to revoke the

suspension order stating that there is no need to continue him under suspension and due to his suspension from service he and his family members are suffering a lot, but no action has been taken so far. Hence, he filed the present petition.

A perusal of the record would show that the petitioner was kept under suspension initially on 22.01.2004 and subsequently the said suspension orders were extended vide proceedings dated 28.04.2005, 24.06.2005, 20.08.2005 and 08.12.2005 on the ground that a criminal case is pending against the petitioner. The contention of the petitioner is that G.O. Ms. No.86, dated 08.03.1994 provides 'two years' outer limit for suspension of an employee and the action of respondents in continuing the petitioner under suspension for over two years without any review is in violation of the orders in G.O. Ms. No.86, dated 08.03.1994.

A bare reading of the G.O. Ms. No.86, dated 08.03.1994 clearly indicates that the order of suspension against a Government Servant shall be reviewed at the end of every six months. Admittedly, the petitioner was kept under suspension for over two years, and the extension of suspension orders do not reveal as to whether any review has taken place in the case of the petitioner, and they also do not reveal whether there are any grounds to continue the petitioner under suspension further. The action of the respondents in mechanically issuing successive proceedings extending the suspension period of the petitioner without assigning any reason is not proper.

In the circumstances, I deem it appropriate to dispose of the writ petition with the following directions.

The respondents are directed to consider the representations dated 20.07.2005 and 18.03.2006 of the petitioner for raising of his suspension, and pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. No costs.

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**N.V. RAMANA, J.**

Date: 04.04.2006

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